

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

HENRY WATKINS,	:	
	:	NO. 02-CV-2881
Plaintiff,	:	
	:	
v.	:	
	:	
PENNSYLVANIA BOARD OF	:	
PROBATION & PAROLE,	:	
EDWARD JONES, and MICHAEL BUKATA	:	
	:	
Defendants.	:	
	:	

ORDER FOR A CONTINUANCE OF THE TRIAL DATE

ON THIS ____ day of _____, 2007, upon consideration of Defendants' Motion for a Continuance of the Trial Date, and Plaintiff's consent to such relief, it is hereby ORDERED that Defendants' motion is GRANTED and that the trial date of March 26, 2007, is continued. It is further ordered that, by April 1, 2007, counsel for the parties shall provide the court with dates certain on which this case can be tried.

J.

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

HENRY WATKINS,	:	
	:	NO. 02-CV-2881
Plaintiff,	:	
	:	
v.	:	
	:	
PENNSYLVANIA BOARD OF	:	
PROBATION & PAROLE,	:	
EDWARD JONES, and MICHAEL BUKATA	:	
	:	
Defendants.	:	
	:	

**DEFENDANTS' MOTION FOR A CONTINUANCE
OF THE TRIAL DATE AND TO COMPEL DISCOVERY**

Defendants, the Pennsylvania Board of Probation and Parole (the "Board"), Willie E. Jones (improperly pled as Edward Jones) ("Mr. Jones"), and Michael Bukata ("Mr. Bukata") (collectively the "Defendants") by their attorneys, respectfully submit this Motion for a Continuance of the Trial Date, and, in support thereof, states as follows:

1. On August 18, 2006, Defendants filed a Motion for a continuance of the trial date of September 5, 2006, and to compel discovery.

2. On August 22, 2006, the Court entered an Order granting Defendants' Motion and setting November 6, 2006 as a date certain for trial.

3. Thereafter, on September 7, 2006, this Court entered an Order continuing the trial until January 29, 2007, as Mr. Bukata had pre-paid vacation plans in the month of November.

4. On December 1, 2006, the Court entered a consent order postponing the trial date to March 26, 2007, due to the health of Plaintiff's counsel.

5. Michael Bukata very recently learned that he will require surgery in mid February.

6. Mr. Bukata's physician has prohibited him from traveling for at least forty-five (45) days following the surgery.

7. Mr. Bukata is retired from the Parole Board and lives out of state. Thus, Mr. Bukata is unable to travel to Philadelphia for the trial scheduled to start on March 26, 2007.

8. Accordingly, Defendants respectfully request a continuance.

9. Plaintiff consents to an adjournment of the trial date

10. Due to the uncertainty of the timing of Mr. Bukata's ability to travel, the Defendants request respectfully an opportunity to inform the court of prospective dates certain for trial by April 1, 2007.

WHEREFORE, for the foregoing reasons Defendants respectfully request that this Court grant their Motion for a Continuance of the Trial Date.

Respectfully submitted,

MILLER, ALFANO & RASPANTI, P.C.

By: s/Lisa R. Marone

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Attorneys for Defendants,
Pennsylvania Board of Probation
and Parole, Willie E. Jones,
and Michael Bukata

Dated: January 10, 2007

CERTIFICATE OF SERVICE

I, Lisa R. Marone, hereby certify that a true and correct copy of Defendants' Motion for a Continuance of the Trial Date was served upon the following person and in the manner listed below:

VIA FIRST CLASS U.S. MAIL

Robert J. Sugarman, Esquire
Sugarman & Associates
11th Floor, Robert Morris Building
100 North 17th Street
Philadelphia, PA 19103

BY: s/Lisa R. Marone
LISA R. MARONE

Dated: January 10, 2007